Wanda Borges, Esq.

Admitted Pro Hac Vice

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## UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA Richmond Division

| In re:                             | ) Chapter 11                          |
|------------------------------------|---------------------------------------|
| CIRCUIT CITY STORES, INC., et al., | ) Case No. <b>08-35653</b>            |
| Debtors.                           | ) Jointly Administered                |
| CIRCUIT CITY STORES, INC., et al.  | )<br>)                                |
| Plaintiff,                         | ) Adversary Proceeding ) No. 09-03224 |
| v.                                 | )                                     |
| SHARP ELECTRONICS CORPORATION,     | )                                     |
| Defendant.                         | )                                     |
|                                    | )                                     |

#### MOTION FOR LEAVE OF COURT TO ATTEND HEARING BY TELEPHONE

SHARP ELECTRONICS, CORP. a Creditor in the main case and the Defendant in the above referenced adversary proceeding ("Sharp") by and through its undersigned counsel, hereby

request that the Court permit Creditors' counsel to appear telephonically at the March 18, 2010 Pre-Trial Conference at 10:00 a.m. In support of this Motion, Sharp states as follows:

- 1. On November 23, 2009, Circuit City Stores, Inc. commenced its adversary proceeding against Sharp for the recovery of a receivable allegedly due from Sharp and for the recovery of alleged preference payments received by Sharp.
  - 2. Sharp served and filed its timely answer on December 22, 2009.
- 3. On November 13, 2008, the Court entered an Order Pursuant to Bankruptcy Code Section 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures (the "Order"). Page 5 of Exhibit A to the Order states:
  - (g) Upon request, the Court may allow counsel to listen to a hearing by telephone. If a matter is contested, counsel must attend in person, unless leave of the court is granted on a case by case basis.
- 4. Sharp's principal counsel is located in New York State. In order to avoid the time and expense of traveling to Virginia for the Pre-Trial Conference, Sharp's counsel respectfully requests that the Court permit Sharp's counsel to appear by telephone at the March 18, 2010 pre-trial conference, rather than make a personal appearance.

**WHEREFORE,** Sharp Electronics Corporation respectfully requests that this Court grant this request and enter an order substantially in the form attached hereto permitting Wanda Borges the right to appear and be heard by telephone at the hearing on March 18, 2010 on behalf of Sharp Electronics Corporation and grant such other relief as necessary and appropriate.

Respectfully submitted,

Dated: March 17, 2010

/s/ Richard I. Hutson

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-and -

/s/ Wanda Borges

Wanda Borges, Esq.

Admitted Pro Hac Vice

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#### UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA Richmond Division

| In re:                             | ) Chapter 11                             |
|------------------------------------|--|
| CIRCUIT CITY STORES, INC., et al., | ) Case No. <b>08-35653</b>               |
| Debtors.                           | ) Jointly Administered                   |
| CIRCUIT CITY STORES, INC., et al.  | )  |
| Plaintiff,                         | ) Adversary Proceeding<br>) No. 09-03224 |
| v.                                 | )  |
| SHARP ELECTRONICS CORPORATION,     | )  |
| Defendant.                         | )<br>)<br>)                              |

# ORDER GRANTING MOTION FOR LEAVE OF COURT TO ATTEND HEARING BY TELEPHONE

Upon consideration of the Motion for Leave of Court to Attend Hearing by Telephone, and it appearing that the motion having been served upon counsel for Circuit City Stores, Inc., et al. (the "Debtors"), counsel for the Official Committee of Unsecured Creditors, and the Office of the

United States Trustee for the Eastern District of Virginia, and after due deliberation and sufficient cause appearing therefore, it is hereby,

**ORDERED**, that the Motion is **GRANTED** and Wanda Borges is permitted to appear and be heard by telephone at the hearing on March 18, 2010 p.m. on behalf of Sharp Electronics Corporation.

\_\_\_\_\_\_, 2010

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

We ask for this:

/s/ Richard I. Hutson

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-and -

/s/ Wanda Borges

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on this 17<sup>th</sup> day of March 2010, a copy of the foregoing Motion and Proposed Order was served electronically through the ECF system, upon all persons, entities and parties-in-interest who have entered their appearance and requested to receive notice in this case, and by email upon Brian Stark, Esq., McGuire Woods, LLP, <u>bstark@mcguirewoods.com</u>.

/s/ Richard Hutson

Richard Hutson, Esq.